IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 17950 of 2004

Between:

1 Sri P.Ramulu, s/o late Golla Lingaiah,
r/o Mettukani Gudem, Quthbullapur Mandal,
R.R.District.
2 Sri P.Shankaraiah, s/o late P.Golla Lingaiah,
r/o Mettukanigudem, Quthbullapur Mandal,
R.R.District.
3 Sri P.Krishna, s/o late P.Golla Lingaiah,
r/o Mettukanigudem, Quthbullapur Mandal,
R.R.District.

..... PETITIONERS

AND

1 The Revenue Divisional Officer, East Division, R.R.district
at Goshamahal, Malakunta Road, Hyderabad.
2 The Mandal Revenue Officer-cum-Deputy Collector, Quthbullapur Mandal,
R.R.District at Suraram Village, Quthbullapur Mandal, R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus to direct the respondents to issue Lovani patta certificate, pass book, title book and write the names of the petitioners in the Revenue Records as per the possession enquiring into the agricultural land in Sy.No.79 to the extent of Ac.8.00 at Mettukanigudem, Quthbullapur Mandal, R.R.District as per the procedure of Lovani rules on the said circumstances of the case.

Counsel for the Petitioner: MR.BOLLAM LINGAIAH YADAV

Counsel for the Respondents.: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

Heard the learned counsel for the petitioners and learned Government Pleader for Revenue. Both the learned counsel have expressed no objection to dispose of the writ petition finally. Hence, the writ petition is taken up for final disposal at the stage of admission.

The petitioners, who claim to be in possession of land ad-measuring 8 acres, in Sy.No.79, situated at Mettukanigudem, Quthbullapur Mandal, since 1958-59, and who succeeded the same from their father, made applications, on 29-04-2004 and 15-07-2004, respectively, before the 2nd respondent, for issuance of patta certificates in their favour. However, without considering the said applications, the respondent-authorities are trying to evict the petitioners from the land in question. Hence, this writ petition.

Learned counsel for the petitioners contended that the petitioners are in possession of the said land and the pahanies also reveal the possession of their father, earlier.

In the circumstances, if the land is not covered under G.O.Ms.No.1409, Revenue (Q) Department, dated 19-08-1978, and the same is not prohibited from assignment and is not required for any public purpose, the respondents are directed to consider the applications, said to have been filed by the petitioners for assignment of the land in question, and pass appropriate orders in accordance with law.

Accordingly, the writ petition is disposed of. No order as to costs.

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A.GOPAL REDDY,J

Dated:05-10-2004

GJ

To

1 The Revenue Divisional Officer, East Division, R.R.district
at Goshamahal, Malakunta Road, Hyderabad.
2 The Mandal Revenue Officer-cum-Deputy Collector, Quthbullapur Mandal, R.R.District at Suraram Village, Quthbullapur Mandal, R.R.District.

3. 2CCs to the Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

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